

NOT TO BE PUBLISHED

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COURT OF APPEAL, FOURTH DISTRICT

DIVISION TWO

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

MEL MURPHY,

Defendant and Appellant.

E029753

(Super.Ct.No. FSB030523)

OPINION

APPEAL from the Superior Court of San Bernardino County. W. Robert Fawke,
Judge. Affirmed.

David K. Rankin, under appointment by the Court of Appeal, for Defendant and
Appellant.

No appearance for Plaintiff and Respondent.

Mel Murphy¹ (defendant) pled guilty to petty theft with a prior. (Pen. Code, § 667.)
As part of his plea bargain, he waived his right to appeal. He was sentenced to the agreed-to
term of two years eight months. His request for a certificate of probable cause was denied

by the trial court.

Defendant appealed and upon his request, this court appointed counsel to represent him. Counsel has filed a brief under the authority of *People v. Wende* (1979) 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738 [87 S.Ct. 1396, 18 L.Ed.2d 493], setting forth a statement of the case, a summary of the facts, and requesting this court to undertake a review of the entire record.

We offered the defendant an opportunity to file a personal supplemental brief, which he has not done.

We have now concluded our independent review of the record and find no arguable issues.

The judgment is affirmed.

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RAMIREZ

P. J.

We concur:

McKINSTER

J.

GAUT

J.

[footnote continued from previous page]

¹ Defendant is also known as Mel Joe Murphy and Jabarea Williams.